

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

LINDA BILOTTI, et al.

Plaintiffs,

v.

**ST. CLAIR COUNTY INTERGOVERNMENTAL
GRANTS DEPARTMENT, et al.,**

Defendants.

No. 11-cv-425-DRH

ORDER

HERNDON, Chief Judge:

On May 20, 2011, plaintiffs, pro se, filed an employment discrimination complaint claiming jurisdiction based on 28 U.S.C. § 1331. In the jurisdiction section of the form complaint, plaintiffs alleged that the defendants discriminated against plaintiffs based on defamation. On the civil cover sheet, however, plaintiffs indicated that the basis of the Court's jurisdiction was that the United States government was a plaintiff. Clearly, it is not. The civil cover sheet also indicates that this case was being filed under 42 U.S.C. § 1983. Plaintiffs Linda Bilotti, Sharon Fix, and Judy Heck have also filed a motion for appointment of counsel (Doc. 3), but have failed to complete the form. Accordingly, the motion for appointment of counsel (Doc. 3) is DENIED without prejudice.

Having reviewed the complaint and supporting documents filed therewith

which on their face suggest a lack of subject matter jurisdiction, the Court *sua sponte* raises the issue of its jurisdiction over this claim. See *Frey v. Envtl. Prot. Agency*, 270 F.3d 1129, 1131 (7th Cir. 2001). Accordingly, the Court hereby gives notice to plaintiffs that it is considering dismissing this complaint for a lack of subject matter jurisdiction and sets the matter for hearing so that plaintiffs have an opportunity to be heard on this issue. *Id.* at 1131-32. The matter is set for hearing Thursday, July 28, 2011, at 1:30 p.m. All plaintiffs are ordered to attend. Attendance is critical in order for the Court to explore with each plaintiff the basis for each plaintiff's lawsuit and the Court's jurisdiction. Absence from the hearing will not be excused. A plaintiff's absence may result in plaintiff's case being dismissed regardless of the plaintiff's absence.

IT IS SO ORDERED.

Signed this 31st day of May, 2011.

David R. Herndon



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**Chief Judge
United States District Court**